



- Regardless of the availability (or unavailability) of courtrooms in which to try this case at the Moakley Courthouse, and regardless of whether this trial of four defendants is severed to better accommodate the current courtroom restrictions, counsel should understand that each party will be limited to two attorneys in the courtroom. Paralegals and any other support staff will be in a satellite space with closed circuit video service. Similar remote access to the trial will be available to members of the public.
- Jury selection will be conducted pursuant to the same protocol successfully followed in the several criminal jury trials already conducted by this United States District Court post-COVID-19 and, high profile or not, it will be completed in this case in an orderly fashion with ample use of online and mail-in questionnaires to avoid any unnecessary summoning of excusable venire persons.

Finally, the Court notes that the only statement by counsel with respect to the COVID-19 pandemic without supporting citation in their motion is that, by September, 2021, COVID-19 "will be abated". There is no certainty of that but there is a necessity to conduct a jury trial in this case as soon as it is reasonably practicable which this Session of this Court intends to do.

  
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Nathaniel M. Gorton  
United States District Judge

Dated: November 25, 2020